

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In Re:** :  
  
**Akin Lackey,** : **BK. No. 18-12518 ELF**  
  
**Debtor** : **Chapter 13**  
**vs.** :  
**U.S. Bank National, not in its individual,  
capacity but solely in its capacity as Indenture** :  
**Trustee of CIM Trust 2018-R4**  
  
**Movant** :  
**vs.**  
**Akin Lackey,** :  
**Debtor** :  
  
**William C. Miller, Esquire,** :  
**Trustee** :

**Debtor Akin Lackey's Response to the Motion of U.S. Bank National Association, not in  
its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2018-R4  
for Relief from the Automatic Stay Pursuant to Section 362 of the Bankruptcy Code**

And Now comes the Debtor, Akin Lackey's Response to the Motion for Relief from the Automatic Stay filed by the Creditor U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2018-R4 and prays your Honorable Court as follows:

1. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.
2. Admitted.
3. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.
4. Admitted.

5. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

6. Denied. It is denied that the Debtor failed to make the monthly payments on the mortgage as required and alleged.

7. Denied. It is specifically denied that the total amount necessary reinstate the loan post petition is \$7,383.87, as alleged. To the contrary, the Debtor has made some payments to which he has not been given proper and adequate credit for.

8. Denied.

9. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

Wherefore, the Debtor respectfully requests that the Court deny the following:

(a) deny the Movant any relief from the automatic stay provisions under Sections 362 with respect to the Mortgaged premises and deny the Movant any right to foreclose on its Mortgage and to deny the Movant or any other purchaser at a Sheriff's ale to take any legal action with respect to the mortgaged premises.

(b) Rule 4003 (a)(3) is applicable to any relief requested by the Movant U.S. Bank National or it's successor or assigns.

(c) deny another relief contrary to the interests of the Debtor.

**Respectfully Submitted:**

/s/ Vaughn A. Booker, Esquire  
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Attorney for Debtor,  
Akin Lackey

**Dated: June 21, 2019**

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**Debtor** :  
  
**William C. Miller, Esquire,** :  
**Trustee** :

**O R D E R**

And Now to wit, this        day of       , 2019 and based upon the within Response  
of the Debtor Akin Lackey to the Motion for Relief from the Stay of the Creditor U.S. Bank  
National Association, not in its individual capacity but solely in its capacity as Indenture Trustee  
of CIM Trust 2018-R4, it is Hereby Ordered and Decreed that the Motion is Denied.

**By the Court:**

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J.